

Racism in America: Biden Police Reforms Prove Inadequate to End Misconduct and Brutality

Killings continue while the United States Justice Department opens investigations into what is already obvious

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As demonstrations erupt across the United States against the oppression inflicted on the African American people, the first three months of the presidency of Joe Biden and his administration has been marked by ongoing racial unrest and social strife.

In the aftermath of the police killings of Ma’Khia Bryant and Andrew Brown, Jr. in Columbus, Ohio and Elizabeth City, North Carolina respectively, many are convinced that the convictions of Minneapolis former police officer Derrick Chauvin will not ease the level of violence by law-enforcement directed toward Black and Brown peoples.

Attorney General Merrick Garland announced on April 16 that the Biden administration was rescinding the limitations on consent decrees related to the monitoring of law-enforcement agencies involving problems of racial bias, the use of lethal force and other issues. These measures were utilized by previous administrations, even Republican, in response to excessive complaints made to police departments and governing bodies.

The cities of Minneapolis, Minnesota and Louisville, Kentucky, the municipalities where police brutally killed George Floyd and Breonna Taylor, Garland has already announced the commencement of federal investigations related to civil rights violations. These two urban areas were the scene of mass demonstrations and rebellions during the summer of 2020, when people all over the U.S. and internationally went into the streets in response to the racist killings by police and vigilantes.

Demands and contentious debates have surfaced surrounding the future of policing in the U.S. as well as Europe. Defunding and dismantling the law-enforcement agencies are topics of discussion in cities such as Minneapolis, Oakland and Detroit. No city government has gone to the extent of completely abolishing police budgets and reinvesting these tax funds to social services, healthcare, education, utilities, clean affordable water services and environmental quality.

Some municipalities have mandated the halting of traffic stops which are utilized as an initial form of contact for the criminal justice system. However, in most areas, the aggressive character of policing has intensified, making many believe that a rash of killings

since the convictions of Chauvin may be in response to the anger felt by law-enforcement agents for the mass pressure which was critical in the outcome of the trial in Minneapolis.



In Elizabeth City, North Carolina, where Andrew Brown, Jr., a father of seven was killed on April 23, a local judge blocked the release of all body cam footage of his death which resulted in multiple gunshot wounds to his arms and head, people are marching through the small coastal town on a daily basis. The family of Brown is demanding justice through a complete investigation and the indictment of the police officer responsible. Only 20 seconds of the incident was shown to the family and their attorneys in a private meeting with law-enforcement. Even within this limited time frame the family members say it was clear his death was an unnecessary execution.

The question then becomes, how can the Justice Department response to a myriad of similar cases from the east to the west coasts and all through the southern, northern and midwestern regions of the country, provide relief to the besieged communities? By opening probes into every single municipality where there is police misconduct would surely overwhelm the federal investigative law-enforcement system.

An [article published by CNBC](#) says of the process that:

“Consent decrees are court-ordered agreements that can be used to resolve violations of the law or systemic misconduct discovered during federal investigations of state or local law enforcement agencies. For instance, after the fatal shooting of Michael Brown in Ferguson, Missouri, in 2014, the DOJ launched an investigation of the Ferguson Police Department for ‘an alleged pattern or practice of unlawful misconduct’ and other issues. Less than a year later, the DOJ said it found ‘a number of patterns or practices of unconstitutional conduct.’ A federal judge in April 2016 approved the consent decree between Ferguson and the DOJ, which required broad changes at the police department. Just before he was fired by Trump in November 2018, then-Attorney General Jeff Sessions signed a memo curtailing the Justice Department’s use of consent decrees.”

Nonetheless, there is the need to examine the actual history of these judgments declared by the federal courts and the DOJ and their effectiveness in curtailing abuses by law-enforcement agencies. These actions by a succession of attorney generals are by no means a novel approach to a centuries-long crisis of policing of the oppressed peoples.

Previous Consent Decrees Did Not End Police Brutality

In the city of Detroit, an epidemic of killings by police officers during the 1990s and early 2000s prompted the formation of a Coalition Against Police Brutality and other mass efforts

in response. A November 1992 brutal police murder of 35-year-old Malice Green by two white police officers on the southwest side, prompted the then first African American Mayor Coleman Young to terminate both individuals directly involved.

Former Detroit police officers Walter Budzyn and Larry Nevers were convicted of second-degree murder in a highly publicized trial in the summer of 1993. This represented the first conviction of white law-enforcement agents for murder against an African American in the U.S. The holding of Budzyn and Nevers criminally accountable was due to community mobilization and the threat of another citywide rebellion. Just months prior to the murder of Green in Detroit, the U.S. had exploded over the acquittal of four Los Angeles police officers in the brutal beating of Rodney King.

This unprecedented action was carried out by a jury impaneled in the municipal Recorder's Court in Detroit. Since Detroit was and still is a majority African American city, the jury backed up by public sentiment, was able to find both white officers guilty of murder. Subsequently, with the retirement of Mayor Young in 1992 and the ascendancy of Dennis Archer the following year, police violence against residents accelerated.

By 2000, the Civil Rights Division of the Justice Department had begun an investigation into the Detroit Police Department (DPD). A consent judgment was rendered in 2003, placing the City of Detroit and the DPD under a consent decree related to the use of lethal force and the deplorable conditions existing then in the lock up facilities.

Despite these federal mandates, there were enormous difficulties associated with the process of review and the actual reforms required. There were huge cost overruns and obvious corruption related to the federally appointed monitors. Police abuses and killings would continue during the period following the imposition of the consent decree.

The most egregious incident was the police killing of 7-year-old Aiyana Stanley Jones on the eastside of Detroit in May 2010. This horrendous act was carried out while a national network television program, the First 48, were filming the entire bogus raid which resulted in the death of the child.

There was never anyone held accountable criminally for the killing of Jones. The suspect being sought by police lived in an upstairs flat from where the disastrous raid was executed. A resident of the upstairs residence said that the suspect could have been arrested on several occasions because they were in and out of the home for several days.

Later in 2014, amid an illegally imposed emergency management and bankruptcy, the consent decree by the Justice Department was lifted absent of any public discussion. The current Chief of Police James Craig was appointed by the emergency manager Kevin Orr. Corporate-oriented white Mayor Mike Duggan has kept Craig in office despite his ineffectiveness and ineptitude, resulting in the call by over 40 community-based organizations for his removal during summer of 2020.

At present the DPD is being sued by antiracist activists from Detroit Will Breathe, which surfaced last year in the wake of the murder of George Floyd. The DPD engaged in systematic violence and false arrests of demonstrators and bystanders at the aegis of the Duggan administration and its bank-led backers in the form of the business interests of Quicken Loans, Illitch Holdings, Chase Bank and other ruling class magnets dominating the politics of the majority African American municipality.

These acts of subversion of the people's will as it relates to the imposition of consent decrees and other police reforms illustrate the institutional and systematic resistance to even minimal efforts to ease pressure on oppressed peoples. Consequently, the capitalist racist structures of oppression and exploitation must be removed in order that genuine equal justice becomes a reality in the U.S.

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